

IAP12 Rec'd PCT/PTO 05 DEC 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	)	
	)	
FOURNILLIER et al.	)	Group Art Unit: Unassigned
	)	
Application No.: Unassigned	)	Examiner: Unassigned
	)	
Filed: December 4, 2005	)	Confirmation No.: Unassigned
	)	
For: COMPOSITION COMPRISING THE	)	
POLYPROTEIN NS3/NS4 AND THE	)	
POLYPEPTIDE NS5B OF HCV,	)	
EXPRESSION VECTORS INCLUDING	)	
THE CORRESPONDING NUCLEIC	)	
SEQUENCES AND THEIR	)	
THERAPEUTIC USE (As Amended)	)	

**FIRST INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98.

Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed. However, copies of the listed U.S. patents and U.S. patent application publications are not enclosed since it is no longer required according to the July 11, 2003 waiver of the requirement for copies of cited U.S. patents and U.S. patent application publications in national patent applications filed after June 30, 2003 and international applications entering the national stage under 35 U.S.C. § 371 after June 30, 2003.

Also enclosed is a copy of the International Search Report in connection with the above-identified application as well as a copy of the Preliminary French Search Report.

**U.S. Patent Documents**

1. Houghton et al., U.S. Patent No. 6,312,889 B1, issued on November 6, 2001.

**Foreign Patent Documents**

1. PALIARD et al., International Publication No. WO 01/30812 A2, published on May 3, 2001.

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Non-Patent Literature Documents

1. PANCHOLI et al., "DNA Immunization with Hepatitis C Virus (HCV) Polycistronic Genes or Immunization by HCV DNA Priming-Recombinant Canarypox Virus Boosting Induces Immune Responses and Protection from Recombinant HCV-Vaccinia Virus Infection in HLA-A2.1-Transgenic Mice," Journal of Virology, 2003, vol. 77, no. 1, pp. 382-390, American Society for Microbiology, Washington, D.C.;
2. CHO et al., "Enhanced cellular immunity to hepatitis C virus nonstructural proteins by codelivery of granulocyte macrophage-colony stimulating factor gene in intramuscular DNA immunization," Vaccine, 1999, vol. 17, pp. 1136-1144, Elsevier Science, Amsterdam, Holland.;
3. CLARKE et al., "Molecular virology of hepatitis C virus," Journal of General Virology, 1997, vol. 78, pp. 2397-2410, American Society for Microbiology, Washington, D.C.;
4. INCHAUSPE et al., "Development of a hepatitis C virus vaccine," Clin. Liver Dis., 2003, vol. 7, pp. 243-259.

The documents are being submitted within three (3) months of the filing or entry of the national stage of this application or before the first Office Action on the merits, whichever is later. Since these documents are being filed within the time period set forth in 37 C.F.R. § 1.97(b), no fee or statement is required.

To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BUCHANAN INGERSOLL PC

Date December 5, 2005

By: 

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Substitute for form 1449A/PTO & 1449B/PTO

Complete if Known

10/559431

**FIRST  
INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

1

of

1

Application Number

Unassigned

Filing Date

December 5, 2005

First Named Inventor

FOURNILLIER et al.

Examiner Name

Unassigned

Attorney Docket Number

034548-001

**U.S. PATENT DOCUMENTS**

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)
	6,312,889	B1	HOUGHTON et al.	11-06-2001

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Document Number	Kind Code (if known)	Country	Date of Publication (MM-DD-YYYY)	STATUS						
					Translation	Partial Translation	Eng. Lang. Summary	Search Report	IPER	Abstract	Cited in Spec
	01/30812	A2	International	05-03-2001				X			

**NON-PATENT LITERATURE DOCUMENTS**

Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	PANCHOLI et al., "DNA Immunization with Hepatitis C Virus (HCV) Polycistronic Genes or Immunization by HCV DNA Priming-Recombinant Canarypox Virus Boosting Induces Immune Responses and Protection from Recombinant HCV-Vaccinia Virus Infection in HLA-A2.1-Transgenic Mice," <u>Journal of Virology</u> , 2003, vol. 77, no. 1, pp. 382-390, American Society for Microbiology, Washington, D.C.
	CHO et al., "Enhanced cellular immunity to hepatitis C virus nonstructural proteins by codelivery of granulocyte macrophage-colony stimulating factor gene in intramuscular DNA immunization," <u>Vaccine</u> , 1999, vol. 17, pp. 1136-1144, Elsevier Science, Amsterdam, Holland.
	CLARKE et al., "Molecular virology of hepatitis C virus," <u>Journal of General Virology</u> , 1997, vol. 78, pp. 2397-2410, American Society for Microbiology, Washington, D.C.
	INCHAUSPE et al., "Development of a hepatitis C virus vaccine," <u>Clin. Liver Dis.</u> , 2003, vol. 7, pp. 243-259.

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.